

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John Hamer et al.
Title: One Button External Backup
Appl. No.: 10/511,131
Filing Date: 09/05/2003
Examiner: Unassigned
Art Unit: Unassigned

CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV445623046US August 2, 2005
(Express Mail Label Number) (Date of Deposit)

Richard Ruggiero

(Printed Name)

Richard Ruggiero
(Signature)

TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 06/20/2005, in the above-identified patent application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

☒ Declaration and Power of Attorney (9 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

☒ Return Copy of Notice to File Missing Parts

☐ Translation

☐ Drawings

☐ Preliminary Amendment

- ☐ Claim for Convention Priority and certified copy of priority documents
- ☐ Information Disclosure Statement
- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
- ☒ Extension for response filed within the second month
- ☐ Extension for response filed within the third month
- ☐ Extension for response filed within the fourth month
- ☐ Extension for response filed within the fifth month

☐ Other:

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Filing Fee				\$100.00	\$100.00
					0
Total Claims:	55	- 20	= 35	x \$18.00	= \$630.00
Independent claims:	15	- 3	= 12	x \$88.00	= \$1056.00
If any Multiple Dependent Claim(s) present:			+	\$360.00	= \$0.00
Surcharge under 37 CFR 1.16(f) for late filing of Executed Declaration and late payment of filing fee			+	\$130.00	= \$130.00
Extension fee for response filed within the second month:			+		= \$0.00
				SUBTOTAL:	= \$1,916.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= 0
				TOTAL FILING FEE:	= \$1,916.00
Processing Fee under 37 CFR 1.17(i) for Late Filing of English Translation of Application:			+	\$130.00	= \$0.00
				TOTAL FEE	= \$1,916.00
Difference to pay:			-	\$1,916.00	- \$0.00

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Date

August 2, 2005

FOLEY & LARDNER LLP

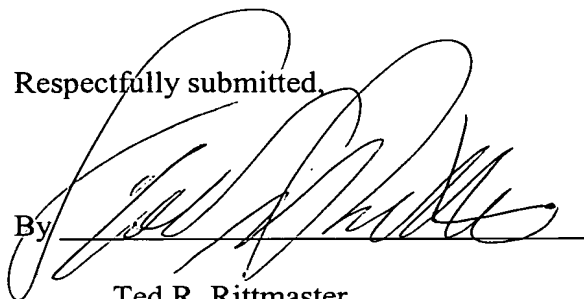
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Respectfully submitted,

By



Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 02 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,131	John Harner	043886-0204

23392
FOLEY & LARDNER
2029 CENTURY PARK EAST
SUITE 3500
LOS ANGELES, CA 90067

INTERNATIONAL APPLICATION NO.

PCT/US03/27853

LA. FILING DATE	PRIORITY DATE
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09/05/2003

09/06/2002

CONFIRMATION NO. 1970

371 FORMALITIES LETTER



OC000000016324103

Date Mailed: 06/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/13/2004
- Copy of the International Search Report filed on 10/13/2004
- Copy of IPE Report filed on 10/13/2004
- Preliminary Amendments filed on 10/13/2004
- Request for Immediate Examination filed on 10/13/2004
- U.S. Basic National Fees filed on 10/13/2004
- Priority Documents filed on 10/13/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,131	PCT/US03/27853	043886-0204

FORM PCT/DO/EO/905 (371 Formalities Notice)